

REMARKS

Claims 1, 5, 8-11, 17, 18, 21-23, 25, 32 and 33 are pending. By this Amendment, claims 1, 5, 8, 10, 11, 17, 18, 21, 22, 25, 32, 33 and 36 are amended, and claims 2, 16, 24, 31 and 37 are cancelled without prejudice or disclaimer of the subject matter contained therein. No new matter is added.

Claims 1, 5, 8, 10, 11, 17, 18, 21, 22, 25, 32, 33 and 36 are amended to improve form. Support for the claims is found in the disclosure as originally filed.

Applicants thank Examiner Danielsen for the indication in the Office Action that claims 1, 21 and 36, and claims 2, 5, 8-11, 16-18, 22-25, 31-33 and 37 would be allowable if rewritten or amended to overcome the double patenting rejections set for the Office Action, or upon filing a terminal disclaimer.

For the following reasons, reconsideration is respectfully requested.

Double Patent Rejections

In items 2-7 of the Office Action, the noted pending claims of this application are rejected on the ground of nonstatutory obviousness-type double patenting over the noted patented claims of U.S. Patent No. 7,233,550, in view of various references that are of record.

In items 8-12 of the Office Action, the noted pending claims of this application are rejected on the ground of nonstatutory obviousness-type double patenting over the noted patented claims of U.S. Patent No. 7,188,271, in view of various references that are of record.

In items 13-17 of the Office Action, the noted pending claims of this application are rejected on the ground of nonstatutory obviousness-type double patenting over the noted patented claims of U.S. Patent No. 7,289,404 in view of various references that are of record.

In items 18-22 of the Office Action, the noted pending claims of this application are rejected on the ground of nonstatutory obviousness-type double patenting over the noted patented claims of U.S. Patent No. 7,317,670, in view of various references that are of record.

In items 23-27 of the Office Action, the noted pending claims of this application are rejected on the ground of nonstatutory obviousness-type double patenting over the noted patented claims of U.S. Patent No. 7,372,788, in view of various references that are of record.

In items 28-32 of the Office Action, the noted pending claims of this application are rejected on the ground of nonstatutory obviousness-type double patenting over the noted patented claims of U.S. Patent No. 7,483,355, in view of various references that are of record.

In items 33-37 of the Office Action, the noted pending claims of this application are rejected on the ground of nonstatutory obviousness-type double patenting over the noted patented claims of U.S. Patent No. 7,483,349, in view of various references that are of record.

In items 38-42 of the Office Action, the noted pending claims of this application are provisionally rejected on the ground of nonstatutory obviousness-type double patenting over the

noted pending claims of copending Application No. 10/670,326, in view of various references that are of record.

In items 43-47 of the Office Action, the noted pending claims of this application are provisionally rejected on the ground of nonstatutory obviousness-type double patenting over the noted pending claims of copending Application No. 10/670,274, in view of various references that are of record.

In items 48-52 of the Office Action, the noted pending claims of this application are provisionally rejected on the ground of nonstatutory obviousness-type double patenting over the noted pending claims of copending Application No. 11/652,691, in view of various references that are of record.

In items 53-57 of the Office Action, the noted pending claims of this application are provisionally rejected on the ground of nonstatutory obviousness-type double patenting over the noted pending claims of copending Application No. 12/078,336, in view of various references that are of record.

In items 58-62 of the Office Action, the noted pending claims of this application are provisionally rejected on the ground of nonstatutory obviousness-type double patenting over the noted pending claims of copending Application No. 12/242,699, in view of various references that are of record.

In items 63-67 of the Office Action, the noted pending claims of this application are provisionally rejected on the ground of nonstatutory obviousness-type double patenting over the noted pending claims of copending Application No. 12/346,549, in view of various references that are of record.

In items 68-72 of the Office Action, the noted pending claims of this application are provisionally rejected on the ground of nonstatutory obviousness-type double patenting over the noted pending claims of copending Application No. 12/340,457, in view of various references that are of record.

The various double patenting rejections as to cancelled claims 2, 16, 21, 31 and 37 are moot. The various double patenting rejections as to pending claims are respectfully traversed.

Specifically, the applied co-assigned patents or co-pending applications do not claim the temporary defect list information that includes one or more defect entries and a defect list terminator following the one or more defect entries, and that a defect entry is used to manage the defective area and the defect list terminator indicates a termination of the temporary defect list information, as recited in claim 1, and as similarly recited in claims 21 and 36. Moreover, none of the variously applied references that are of record disclose or suggest the recited the defect list terminator indicates a termination of the temporary defect list information, and especially one that is included in the temporary defect list information.

In the Office Action, for example, at page 4 regarding claims 16 and 31 of this Application, the Examiner states that a defect list terminator would be inherent when indicating that the TDMA is full, as shown by patented claims 4 and 14 of U.S. Patent No. 7,233,550. However, it is noted that U.S. Patent No. 7,233,550, the other co-assigned Patents, the other copending applications, and the various references that are of record, neither claim how exactly the fullness of the TDMA is indicated nor what is used to indicate the fullness of the TDMA.

In fact, the recited defect list terminator is one that indicates a termination of the temporary defect list information, and further, the recited defect list terminator is included in the temporary defect list information following the one or more defect entries. However, such features are not shown by the co-assigned Patents, the copending applications, and the various references that are of record.

Accordingly, claims 1, 21 and 36 are patentably distinguishable over the applied co-assigned Patents, and the applied copending applications, even in view of the various references that are of record. Claims 5, 8-11, 17 and 18, which depend from claim 1; and claims 22, 23, 25, 32 and 33, which depend from claim 21, are likewise patentably distinguishable over the applied references and their combination for at least the reasons discussed above and/or for the additional features they recite. Withdrawal of the rejections is respectfully requested.

CONCLUSION

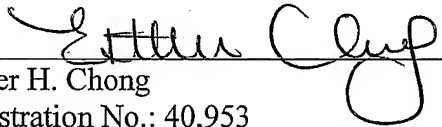
In view of the above amendment and/or remarks, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Seth S. Kim, Reg. No. 54,577, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: **SEP 16 2009**

Respectfully submitted,

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